THE CRITICISM OF DEMOCRACY AND THE ILLUSTRATION OF ITS REALITY

BY

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IN THE NAME OF ALLAH, THE MOST GRACIOUS, THE MOST MERCIFUL.

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As for the Quranic verses that are quoted in this booklet, the translation of their meanings was taken from, 'The interpretation of the meanings of the Noble Quran in the English language", the summarised version, by Dr Muhammad Taqi-ud-Din Al-Hilali and Dr Muhammad Muhsin Khan. Makaba Dar-us-Salam, Ar-Riyadh.

PREFACE

Abu Hamid Al-Ghazali, may Allah's Mercy be upon him, said: "Know that actions, though they are divided into many categories, such as doing, saying, moving, keeping still, pushing, taking, thinking, remembering or else of that which is not conceivable to be counted or investigated, are (in reality) three categories: sins, obediences and mubahat (permissible sayings or actions).

The First category: The sins. They do not change their nature by the intention. So the ignorant must understand that from the generality of his saying (SAW): "Actions are but by intentions", then thinks that a sin can be turned into an obedience by (a good) intention, such as the person who backbites a man to please the heart of someone else, feeds a needy person with someone else's money or builds a school, a mosque or a military camp with unlawful money, while his intention is to do good. This is all ignorance; and the intention has no effect in ruling out its being an oppression, an aggression and a sin. In fact, his intending to do good by an evil means - which opposes the requirement of the Shariah - is another evil. So if he is aware of this (evil means), therefore he is stubborn in regards to the Shariah. But if he ignores it, therefore he is sinful for being ignorant, because seeking knowledge is obligatory upon every Muslim. In addition, since good things can only be known as such by the Shariah, how can an evil be good, then? That is very unlikely. As a matter of fact, the things which cause this in the heart are the hidden pleasure and the inward desire - until he (Al-Ghazali) said: "What is implied is that whoever ignorantly intends to do good by means of a sin, he will not be excused, unless he is new in Islam and does not have the time wherein he can acquire the knowledge, and Allah Taala indeed said:

"So ask those who possess the Reminder if you know not",[1] until he (Al-Ghazali) further said - "Therefore his saying (SAW): "Actions are but by intentions" is confined, as far as the three categories are concerned, to obediences and Mubahat but not sins. This is because an obedience can be turned into a sin by the (the wrong) intention. Also the Mubah can be turned into a sin or obedience by the intention. In contrast, a sin can never be turned into obedience by the (good) intention. Yes the intention could have an interference in it (i.e. the sin); and that is when (other) evil intentions are added to it, and which would increase its burden and its great evil result-as we have mentioned in the book of Repentance.

The **Second category**: The obediences. They are linked to the intentions regarding the basis of their soundness and the increase of their reward. Originally, one should intend to worship Allah Taala alone and no one else by it (the obedience), for if one intends to

[1] An-Nahl, verse 43

show off, it would, therefore, become a sin. As far as the increase of the reward is concerned, it occurs by increasing the good intentions, because one could intend many good things by one single obedience. . Thus one would gain a reward for each intention, because each one of them is a reward. Then each reward shall be increased ten times as mentioned in Al-Khabar (The Quran) - until he (Al-Ghazali) said-

The Third category: Mubahat (permissible sayings and actions). Every single thing of Mubahat may have one intention or many, by which it would become one of the best ways of drawing near (to Allah) and of achieving the highest of rewards. Consequently, what a great loss is made by he who does them (the Mubahat) unintentionally and carelessly, just like the heedless cattle.[2]

A beneficial thing: Sins do not become permissible by the intention but only by a specific legal evidence.

Know that a sin would neither become permissible nor turn into an obedience by the intention, according **to** the aforementioned saying of Abu Hamid Al-Ghazali, may Allah's mercy be upon him. **Also know that if it is allowed to do some sins on some particular occasions, this will not be permissible except by a specific evidence which permits that a sin is done and not merely because of the intention.** For instance:

a - Lying is forbidden and from Al-Kaba'ir (major sins). However, it is allowed on three occasions because of the hadith of the Messenger of Allah (S.A.W) and not because of the mere intention. These occasions are: at war, when making up between people and between the man and his wife.[3]

b - Eating dead animals is forbidden and from Al-Kaba'ir. However, it is allowed for person who is forced by the necessity of hunger because of the text which is in Book of Allah Taala and not the intention, Allah Taala says:

"He has forbidden you only the Maytata (dead animals), and blood, and flesh of swine, and that which is slaughtered in sacrifice for other than Allah. But if one is forced by necessity without useful disobedience nor transgression due limits, then there is no sin on him. Truly, Allah is oft-Forgiving, Most Merciful".[4]

But the evidence that legalises (doing a sin) confines the permission to its case and *must* not be subject to Qiass (the literal meaning is analogy, see p. 997 in the Noble Quran in order to know its meaning and application in the Shariah).[5]

Indeed I have mentioned this beneficial thing because of a fatwa which I read. It was issued by one of today's Sheikhs, who is Abdul Aziz bin Baz. In (this fatwa), he has made it permissible for the Muslim to be a candidate for a membership in the legislative parliament in the countries which are ruled by man-made laws, with the intention of calling to Allah in these parliaments or something of this kind. He proved this by the hadith "Actions are but by intentions".

It was indeed mentioned in "Liwaa Al-Islam" magazine, issue 11M409 Hijri (p.7.in the supplement) 'There is no sin in joining the House of Commons" in reply to a question concerning the legality of the candidature for the House of Commons, and the verdict of Islam on using a voting card, with the intention of electing those who call to (Allah) and the religious brothers to enter the House. Fadilat sheikh Bin Baz issued the fatwa by saying "Verily the Prophet (SAW) said: "Actions are but by intentions, and every one shall have that which he intended". Therefore, there is no sin in joining the House of Commons provided that the intention is to support the Truth and oppose falsehood, because this entails helping the truth and being with those who call to Allah. Similarly, there is no sin in using the voting card which would help elect those pious who call to Allah and support the Truth and its people. And Allah is The One who grants Tawfiq". (Bin Baz's fatwa) is finished.

I have said that this Fatwa is wrong, according to what we have quoted from Al-Ghazali that sins do not become permissible by the intention. Besides, the kufr is the biggest of sins. So as joining the House of Commons is kufr, it will not become permissible by the intention. This is because (of the fact) that the House of Commons is the means by which the democratic system is implemented. So knowing the verdict of participating in it or electing (a member) relies on knowing the verdict of democracy, the verdict of which is dependent on knowing its reality. This is because the fatwa is to know the (Islamic) obligation in the environment. Thus we shall begin with illustrating the reality of

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[2] Ihyaa ulum-ed-deen, vol. 4, p388-391.

[3] Narrated by Muslim on the authority of Umm Kulthum bint Uqba, may Allah be pleased with her.

[4] Al-Baqara, verse 173

[5] It means that we must not analogically apply this permission to every forbidden thing.

democracy, then its verdict and that of participating in the (parliament), may Allah grant us Tawfiq.

THE REALITY OF DEMOCRACY.

Preface: Ibn Taymiah, may Allah's mercy be upon him, said: " Al-Fuqahaa (Scholars of the Islamic jurisprudence) said: 'The names are three types: one type the definition of which is known by the Shariah, such as Salat and Zakat; one type the definition of which is known by the language (of the Arabs), such as the Sun and the Moon; **and one type the definition of which is known by the custom (of the people),** such as the word Al-Qabd (straitening) and that of Honour which is mentioned in His saying **"And live with them (your wives) honourably".[6]**

As the word democracy is not mentioned in the Shariah and is not known in the language of the Arabs, it is necessary to refer it to the custom of the people who laid it down, in order to know its meaning and reality. Concerning this Ibn Al-Qayyim said in "Ahkam Al-Mufti" - i.e. the rules of being a Mufti: "It is not permissible for him (the Mufti) to issue a fatwa in ratifying (covenants), oaths, testaments or the other things which are linked to the word (i.e. the third type of names), on the basis of what he usually understands from these words, and without knowing the custom of the people who speak them. Therefore, he should apply them (the fatwas) to what they (the people) are accustomed to and know, even if that is opposed to the original realities (of these words). But whenever he does not do this, he will lead himself and others astray".[7]

This is all about the obligation of referring democracy to those who laid it down in order to know its meaning. Thus no one would say that what he means by it is the shurah,[8] practising politics or some other names by which the realities (of democracy), and subsequently, the verdicts (of Islam concerning these realities) are lost.

As **democracy is a western, political terminology, it is necessary - according to the aforementioned preface - to refer it to its people** so as **to know its meaning, upon which knowing its verdict is based.** The meaning of democracy, as far as the custom of its people is concerned, is **the mastership of the people; and that the mastership is an absolute and a supreme authority, which is not governed by any other authority. This authority consists in the people's right to choose their leaders and legislate whatever laws they want.** The people usually practice this authority through delegation,

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[6] Majmua Al-Fatwa 13/28. He repeated this in other places in (Majmua Al-Fatwa 7/286, 19/523

[7] Lalam-ul-Muwaqqeen 4/228

[8] The Islamic consultation

by electing MPs who will represent them in the parliament-and practice authority on their behalf. It has been mentioned in the Encyclopaedia of Politics that "All the democratic systems are based on one ideology, which is that the authority is ascribed to the people, to whom the mastership belongs. **In conclusion, democracy is the principle of the mastership of the people ".**[9]

While defining the delegating democracy, he (Abdul Wahhab Al-Kilali) also said, " It means that the people - to whom the mastership belongs - do not practice the authority of legislating themselves. Rather, they grant it to the MPs whom they elect for a specific period and appoint to represent them in practising this authority in their names.

Consequently, in the parliamentary democracy, the parliament is the one which represents the mastership of the people. Also it is the one which expresses their will by means of what it lays down of legislations and laws. Historically, this system was founded in England and France; then from them it was transmitted to the other countries.[10]

According to what has been aforementioned, it becomes clear that democracy is summarised in the people's mastership, which is basically summed up (in its turn) in the absolute right of legislating that is not subjugated by any other authority. Here are some definitions of the mastership. Dr. Abdul Hamid Mitwalli - Professor in Law -said:

"In the ruling systems, democracy is turned as the principle of "the mastership of the nation". Besides, the mastership, according to its definition, is a supreme authority above which there is no authority".[11] Joseph Frankel - a western politician - said: "The mastership means the supreme authority which does not acknowledge any authority to be above it, nor does it possess from behind it the legality of reconsidering its decisions". This fundamental meaning has not been liable to change throughout the recent ages. The definition of Jean Boudan on the mastership in 1576, which had as its content, 'That the mastership is the highest authority over the citizens and those who have authority, and which is not restricted by the Law", remains correct. Nevertheless, the meaning of the mastership that Boudan privileged the prince with in his era, was indeed transferred to the nation afterwards."[12]

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[9] "Encyclopaedia of politics", compiled by Abdul Wahhab Al-Kilali, vol.2.p.756
[10] Ibid, 2(75)
[11] "Ruling systems in developing countries" Dr. Mitwalli, Edition 1985, p.625.
[12] "The International Relationships" by Joseph Frankel. Tuhama Publishing 1984, p 25

THE GENESIS OF THE PRESENT DEMOCRACY.

The pillars of democracy were established by the French Revolution in 1789. However, the parliamentary system had been founded in England one century before that. Ideologically, the principle of the mastership of the nation - which is the basis of the democratic school of thought - had developed before the French Revolution for decades. This appeared in the writings of John Locke, Montesquieu and Jean Jacque Rousseau, who founded the theory of the social contract, which is the basis of the theory of the mastership of the nation. This was as a reaction and a war against the theory of the divine delegation, which had been widespread in Europe for about ten centuries. Such theory decided that the kings ruled by a choice and delegation from Allah. As a consequence, the Kings used to possess an absolute authority, supported in this by the priests.

Indeed the European peoples suffered severely from the absolute rule. Accordingly, the mastership of the nation was the best substitute for them, so as to find their way out of the supreme reign of the kings and the priests who ruled by the delegation of God - as they claimed. Therefore, democracy was originally founded **to rebel against the authority of God, and grant the entire authority to Man to** make his own way of life and laws without any restrictions.

The transition from the theory of delegation of god to that of the mastership of the nation was not a peaceful one. Rather, it happened by means of one of the bloodiest Revolutions in the world, and that was the French Revolution in 1789, which had as its motto "hang the last King by the intestines of the last priest".

Dr Safar Al-Hawali says: " The (French) Revolution ended up with some highly important outcomes. Indeed there was born, for the first time in the history of the Christian Europe, a non-religious republican state. **Its philosophy was based on ruling in the name of the people instead of the name of Allah,** on the freedom of belief instead of Catholicism, on individualism instead of being restricted by the religious conduct, and on man-made rule instead of the decisions of the church."[13]

The theory of the mastership of the nation and its right to lay down its laws appeared, indeed, in the principles of the French Revolution and its ruling system. Thus the sixth act of the declaration of the rights in 1789 stated: 'The law is the expression of the will of the nation". This means that the law is not an expression of the will of the church or the will

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[13] ‘Secularism' Dr Safar Al-Hawali, p.169. Edition **of** Jamiat Umm-ul-Qura, 1402 Hijri.

of God. In a declaration of the rights of man, which was issued along with the French ruling system in 1793, The twenty-fifth Act stated " The mastership is centred in the people".[14] This is why Abdu Hamid Mitwalli said: 'The principles of the Revolution of 1789 are considered to be the basis of the western, democratic principles".[15]

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[14] Quoted from the principles of the ruling system, Dr Sayyed Sabri - p52.
[15] Ruling systems in developing countries - p30

THE VERDICT (OF ISLAM) ON DEMOCRACY, THE MEMBERS OF THE PARLIAMENT AND THOSE WHO VOTE FOR THEM.

The verdict (of Islam) on democracy depends on the fact that the mastership in it is for the people, and is in accordance with what the mastership means: a supreme authority, which does not recognise any other authority to be higher than it, because its authority emanates from itself. Therefore, it <u>does that which it wills and legislates that which it wills, without being accounted by anyone.</u> But this is <u>the Attribute of Allah Taala,</u> as He Taala said: "And Allah judges <u>there is none to put back His Judgement</u> and He is swift at reckoning".[16]
: He Taala also said:
" Allah commands that which He wills".[17]
Likewise He Taala said:
"Verily Allah does what He wills".[18]

We conclude from this that democracy ascribes the attribute of Uluhia (Godhead) to man, by granting him the absolute right to legislate. Owing to this, it has made him an Ilah (God) beside Allah and a partner to him concerning the right of legislating for the creation. This is no doubt a Kufr Akbar (i.e. a Kufr that takes a person outside the fold of Islam). To put it more precisely, **the new God in democracy is the desire of man,** who legislates what he fancies and desires, without being restricted by anything.

Allah Taala said:
"Have you (0 Mohammed [SAW]) seen him who has taken as his Ilah (God) his own desire? Would you then be a wakil (a protecting guide) over him? Or do you think that most of them hear and understand? They are only like cattle, - nay; they are even farther astray from the path (i.e. even worst than cattle)".[19]

This makes democracy a self-established religion in which the mastership is for the people. In contrast, in the religion of Islam the mastership belongs to Allah Taala, as the Messenger of Allah (SAW) said: **"the master is Allah Tabaraka wa Taala".[20]**

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[16] Surah Ar-Raad, verse 41.
[17] Surah Al-Maidah, verse 1.
[18] Surah Al-Hajj, verse 14.
[19] Surah Al-Furqan, verse 43-44.
[20] Narrated by Abu Dawud in his sunan, the book of Al-Adab (manners) and classified as Sahih.

In order to illustrate that which democracy encompasses in regards to ascribing Godhead to man. Professor Abu Ul-Aala Al-Mawdudi said: 'The rules of the western civilisation: Verily the modern civilisation, under the shadow of which the present system of life is based, with all its various branches of belief, conduct, economy, politics and culture, is founded on three pillars, which are the following principles: secularism, nationalism and democracy". -Until he (Al-Mawdudi) further said-: " As for the third principle: (that is) democracy **or ascribing Godhead to man,** by joining the two previous principles, the picture which encompasses within its frame the suffering and the weariness of the world becomes complete. I (Al-Mawdudi) have indeed aforementioned that the meaning of democracy in the modern civilisation is the majority rule. This means that the inhabitants of a place are free concerning that which fulfils their social welfare, and that the law of such a place stems from their desires-until he said - and if we ponder on the three principles now, we will find that secularism has indeed liberated the people from worshipping Allah, obeying Him, fearing Him and from the established restrictions of conduct. It has also caused them to wander wherever they wish, and has made them slaves of themselves without being responsible before anyone. Then nationalism has come to give them big mouthfuls of the wine of egoism, pride, arrogation and disrespect for others. Finally, democracy has come to make this man - after granting him freedom and making him a prisoner of the desires of the self, and obsessed by the pleasure of egoism - sit on the throne of Godhead. Thus it has bestowed on him the full authority of legislating and making laws, and has made the ruling system, with all its capacities, at his service in order to Fulfil everything that he requests - Then Al-Mawdudi said: **"So I frankly say to the Muslims that the nationalistic, secularist democracy contradicts the religion and Aqeeda that you embrace. So if you surrender to it, this would be as if you have left the book of Allah behind your backs; and if you take part in establishing or keeping it, you have indeed betrayed your Messenger whom Allnli sent to you - until he said - wherever this system is present we do not, therefore, regard Islam as being existent, and wherever Islam is present there is** no **place for this system".**[21] (Al-Mawdudi's speech is finished)

After this speech, what remains for the reader to know is that the group of Al-Mawdudi, which is Jamati Islam in Pakistan, has taken democracy as a methodology and has participated in the parliamentary elections in Pakistan – which is a secularist state - during Al-Mawdudi's lifetime, after his death and until today.

Allah Taala said: "Why do you say that which you do not do? Most hateful in the sight of Allah that you say that which you do not".[22]

[21] From the book called "Islam and the modem civilisations" by Al-Mawdudi - translated by Khalil Al-Hamidi.

Pages 9 & 10 are missing from original booklet.

These parliaments are based on the disbelief in the verses of Allah, because their prime task is to legislate beside Him, Praise and Glory be to Him. Therefore, whoever sits with them is like them in Kufr. So what about the person who abides by their laws? Indeed the Messenger of Allah (saw) said: *"So whoever avoids Shubuhat (doubtful things) has indeed safeguarded his religion and honour".*[23] How then about the person who does not avoid Kufr like these MPs? How can their religion remain safe? And why do they want the people to restrain from attacking their honour while they are mixed with Kufr? .

There is another Kufr task for the MPs which some people are not aware of. Their job is not only to take charge of the authority of legislating beside Allah. Rather, all the modern, secularist ruling systems state that the parliament is the one which gives assertion to the general politics of the country and observes the activities of the authority which carries out (laws), and that is the government; and that the government is responsible in the presence of the parliament.

This means that all the kufr which the government practises - such as ruling by man-made laws and following the secularist method - the non-religious one- in both external and internal politics, in education, media, economy, or else - is decided upon by the MPs, who grant license to the governments to implement them. **In fact they have the right to account the government if it deviates from this kufr, and there is no doubt about the kufr of the person who acknowledges the Kufr or permits its implementation.**

Sheikh Bin Baz himself said, while explaining the fourth thing of the ten things that nullify Islam, and which were collected by Sheikh-ul-Islam, Muhammad bin Abdul Wahab, **"Likewise there will enter into this (i.e. the fourth thing that nullifies Islam) everyone who believes that it is permissible to rule by other than the Sharia of Allah in dealings, hudud (Islamic Penal code) or something else. In fact, even if he does not believe that this is better than the rule of the Sharia, because by (permitting) this, he would legalise that which Allah has forbidden by the Ijma (unanimous consensus); and everyone who legalises that which Allah has forbidden and which is known**

[22] Surah As-Saff, verses 2-3.
[23] Agreed upon.

from the religion by necessity, such as fornication, wine, riba (usury) and ruling by other than the Sharia of Allah, he is a Kaffir by the Ijma of the Muslims".[24]

Additionally, in his essay, 'The Criticism of the Arabs Nationalism, Sheikh Bin Baz described the ruling by man-made laws **as "This is the great mischief, the clear kufr and the manifest Ridda (Apostasy)".**[25]

Thus the MPs are responsible for the on going of the governments in ruling by man - made laws. Similarly, they are responsible for legislating the new matters of these laws. But both tasks are from the clear Kufr Akbar, "Darkness one above another".

This is all to illustrate the reasons behind the Kufr of the MPs, both the one who is pleased amongst them and the opponent, who claims that he has only entered them **for** the Islamic Daawa. Indeed I came to know that these opponents were asked, during their work in the parliament, to give the oath of the parliament, which stated the recognition of respecting the ruling system and the law. So they gave it and added on it "but not on a disobedience (i.e. to Allah)". **But this does not take them out of Kufr; in fact this is an addition to kufr, because it is an underestimating of the religion of Allah. (The statement saying) "but not on a disobedience" is only said while giving the oath of allegiance to those who are on authority over the Muslims on the book of Allah and the Sunna of His Messenger (SAW), but not on a disobedience (to Allah), as it was mentioned in Athaar (the hadiths of the sahabah). However, this must not be said while acknowledging shirk. Therefore he who says "but not on a disobedience" while acknowledging shirk-which is to abide by the man-made ruling system and law - he has therefore underestimated the religion of Allah, just like the person who says "I bear witness that the Messiah - Jesus - is the son of God, but not on a disobedience.** That is all what concerns the MPs.

As for those amongst the people who vote for them (MPs), they are committing kufr as well, because according to the parliamentary democracy, the voters are in reality delegating them so as to practice the mastership of shirk -legislating beside Allah – on their behalf. Thus the voters give the MPs the right to implement shirk, and set them up - through their voting - as legislating lords beside Allah. Allah taala says, **"Nor would he order you to take angels and Prophets for lords (gods). Would he order you to disbelieve after you have submitted to Allah's will".**[26]

So if a person who takes angels and Prophets as lords has become a Kaffir, how then about the person who takes the MPs for that? Likewise this is also implied in His saying: **"Say (0 Muhammad [saw]): 0 people of the scripture (Jews and Christians), come to a word that is just between us and you, that we worship none but Allah, and that we associate no partners with Him, and none of us shall take others as lords besides Allah".**[27]

Consequently, taking people as lords beside Allah is a shirk and a disbelief in Allah, and that is what those who vote for the MPs are doing.

Professor Sayyed Qutb, may Allah's mercy be upon him, said concerning the previous verse: "Verily, people, in all the systems of the earth, are taking one another as lords beside Allah. This is happening in the most progressed democracies as well as in the most declined dictatorships... Verily the prime quality of Rububia is the right of making people worship (Allah), the right of establishing systems, schools of thought, Sharai' (plural of Shariah), laws, values and standards. But this right, in all the systems on the earth, is claimed by some people - in some aspects. Also the decision is referred to a group amongst the people concerning each and every situation.

This group of people, who are subjugating the others to their laws, standards, values and conceptions, are the lords of the earth whom some people are taking as lords beside Allah, and are allowing them to claim Uluhia and Rububia. **Owing to** this, **they are worshipping them beside Allah, even if they do not make sujud (prostration) and ruku (bowing) to them, because worship is ascribed to none but Allah** - until he (Sayyed Qutb) said -: "And Islam, with this meaning - is the religion for Allah, and which every Messenger came with from Allah. Indeed Allah sent the Messengers with this religion to liberate mankind from the worship of the slaves to the worship of Allah, and from the oppression of the slaves to the Justice of Allah. **Therefore whoever turns away**

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[24] "The Islamic Research Magazine" issued by the General Assembly of Research, Daawa and Ifta in Saudi Arabia, Issue No. 7, p. 17-18.

[25] Page 50.

[26] Al-Imran, verse 80

[27] Al-Imran, verse 64

from it, is not a Muslim by the testimony of Allah, no matter how the misconceived (people) misinterpret and the misguided mislead.

"Verily the religion for Allah is Islam".[28]

This is what concerns the illustration of the reasons behind the kufr of the voters.

These secularist parliaments, wherein legislating kufr laws, permitting them and, in fact, reinforcing their implementation are fulfilled, are today similar to the Mushrikuns' temples, in which they set up their lords and practice their pagan and shirk rituals. **Therefore, whoever helps establish these parliaments- either by taking part in them, as the MPs do, or electing the MPs, as the voters do, or beautifying them to the people - is a Kaffir.**

Applying these Ahkam (Islamic Verdicts) to specific people must be in accordance with the rules mentioned in (The rule of Takfeer)[29] **in the second chapter of this book. Also spreading the knowledge about the rules of this** application is obligatory on those who are involved in (The Islamic) **knowledge and** Daawa, in order that those who were to be destroyed might be destroyed **after a clear** evidence, and those who were to live might live after a clear evidence.

Democracy and the houses of the parliaments, 0 brothers, is the religion of the Kuffar and their desires. Therefore, being pleased with entering into their religion and following it means going out of the fold of Islam. Allah Taala said:

"For if they come to know of you, they will stone you (to death or abuse and harm you) or turn you back to their religion, and in that case you will never be successful".[30]

Pages 15 & 16 are missing from original booklet.

[28] In the shade of the Quran by Said Qutb 1/406/407. Illustration of the reasons behind the kufr of the voters.

[29] The rule of Takfeer that the writer made mention of, and which is one of the principles of Ahl-us-Sunna Wal Jamma in regards of applying Takfeer to a person, was defined and explained in the same book from which this chapter about democracy was taken. Abdul Qadir bin Abdul Aziz said in his book "Al-Jamea fi-Talab-el-Ilm-e-Sharif", p. 485

[30] Al-Kahf 20.

They (The Sahabah) asked "(Do you mean) the Jews and the Christians 0 Messenger *of* Allah?" He (SAW) said "who else then?"[31]

This is 0 brothers, nothing but an evil deception to divert the Muslims from the Jihad, which is obligatory upon them, the Jihad against the apostate rulers and the other Kaffirun. Thus the human Satans have come to say (to us): "And why Jihad and hardship while the election boxes are the solution? What is obligatory upon you, as far as the Shariah is concerned, is to go and throw a card in the box, and, indeed. Sheikh bin Baz issued a fatwa about the permissibility of this. But if you do not win in this round, you may well win in the next one"

Thus, people would spend their lives awaiting what the election boxes would result in. Undoubtedly, the happiest amongst the people about this satanic way are At-Tawagheet (Apostate Rulers), in their various types, who allowed some of those who belong to Islam **to** enter into the parliament for nothing but to divert the Muslims from their Jihad. Indeed Sheikh-ul-Islam, Ibn Taymia, may Allah's Mercy be upon him, mentioned in many places in his book "Minhaj-us-Sunna Nabawia" **that the Imamate is established by giving the allegiance to the people with Shawka, i.e. power. Similarly no Islamic State will be established in our** age **except by the Shawka, i.e. power.** Therefore one should not be lured by the millions of people who vote for those who claim to be Islamic in the parliamentary elections. Verily, if these people were asked to raise their arms and wage jihad in order to impose the Islamic rule, they would certainly run away. So what power **or** strong military do these people have against the Kaffir rulers? The state belongs to those who possess the power: and power consists of men and arms, then reinforcements.

The result of the parliamentary elections are nothing but falsities and delusions, which are not based on power, let alone being founded on a legal evidence (from the Shariah). Additionally, democracy, with its parliaments and elections, is nothing but a deception, which drugs the Islamic capacities, and a station which consumes these capacities far away from the thrones of the Tawagheet. Allah Taala said: **^'Indeed they planned their plot, and their plot was with Allah, though their plot was a great (one, still) it would never be able to remove the mountains (real mountains or the Islamic Sharia) from their places (as if it is of no importance)".**[32]

[31] Agreed Upon

[32] Surah Ibrahim, verse 46

The Kuffar, various as they are, are calling for democracy as long as it fulfils their desires. But once it opposes their benefits, they would be the first ones to destroy it. Theirs is a similitude of that Kaffir who made his Idol out of dates, but when he became hungry he ate his lord which he used to worship. The examples concerning this are numerous both in the East and the West.

But the condition of the validity of being forced to commit Kufr will be (considered) when the <u>threatening involves killing, cutting or when the Mukallaf is subjected to a severe punishment, and that is the opinion of the majority (of scholars') and the strongest as well." End</u>

17

The conclusion, my Muslim Brother, is that the MPs are the ones who have the right to legislate for the people, and are, in reality, lords that are worshipped beside Allah; and those who vote for them are appointing them as lords beside Allah. So both parties become Kaffirs because of this. Allah Taala said:

"Say **(0 Muhammad** [SAW]) **0 people of the Scripture (Jews and Christians) come to a word that is just between us and you, that we worship none but Allah, and we associate no partners with Him, <u>and that none of us shall take others as Lords beside Allah.</u> Then if they turn away: "bear witness that we are Muslims".**[33]

Therefore, it is not permissible to enter into the Houses (of Parliaments) or participate in electing their members.

Indeed it has become clear for you that participating in these parliaments, either by being a candidate or voting, is from the Kufr Akbar. Moreover, if we have indeed said that sins do not become permissible by the intention but by a specific evidence from the Shariah, therefore (you should know that) kufr is severer and greater than ma'asi (minor sins). As a consequence, it will not become permissible neither by the intention, necessity nor Maslahah (achieving benefit for Islam). **This is because calling for Maslahah, even if its legal conditions are fulfilled, is but an ijtihad, and there is no ijtihad in the presence of the (Islamic legal) text.**

[33] Al-Imran, verse 64

Indeed some kuffar claimed that their intention and aim from committing kufr was **to** bring themselves near to Allah. But Allah rejected their saying and judged them **as K**affirs and Liars. This is because if they had intended to draw near to Allah they would have done so by means of that which He (SWT) enjoined and not by that which He forbade. This appears in His saying Ta'ala : **"And those who take "Awliya" (protectors and helpers) beside Him (Say): "We worship them only that they may bring us near to Allah". Verily Allah will judge between them concerning that wherein they differ. <u>Truly, Allah guides not Him who is a Liar and a disbeliever”.</u>**[34]

Bin Baz himself said, "And indeed some Mushrikun claimed that their intention from worshipping the Prophets and the pious people, and from taking idols as lords beside Allah, was to bring them near to Allah and gain the intercession through them to Allah, Praise and Glory be to Him. But Allah rejected that and refuted it by saying, **"And they worship besides Allah things that hurt them not, nor profit them, and they say "these are our intercessors with Allah" Say "Do you inform Allah of that which he knows not in the Heavens and on the Earth?" Glorified and Exalted be He above all that which they associate as partners with Him!”**[35] Then he mentioned the previous verse of Az-Zumar".[36]

18

The case is, therefore, the same with the one who enters into the parliament and says that his intention is to call to Allah: He is a liar and a Kaffir, even if he calls his shirk in regard to Allah a Daawa to Allah.

Indeed Ibn-ul-Qayyim, may Allah's Mercy be upon him, said, "If the changing of names and shapes necessitated the alteration of the verdicts and the realities (of the Shariah), the religions would certainly be corrupted, the laws would be changed and Islam would be disappeared. So what thing did the Mushrikun profit **by** calling their idols gods, while they (gods) had nothing of the Attributes of Uluhia and its realities? Also what thing did they profit by calling the shirk in Allah, a drawing near to Allah? -until he said-: Therefore, to all these people we must recite "These are but <u>names (forged by) you and your fathers,</u> for which Allah has sent down no authority.”[37][38]

[34] Az-Zumar, verse 3
[35] Yunus, verse 18
[36] Majmu al-Fatawa, by Bin Baz, vol. 2 , page 38
[37] An-Najm, verse 23

Accordingly, the Fatawa of Sheikh Bin Baz is wrong. So take this beneficial remark, to which you must adhere firmly, and that is **"sins do not become permissible by the intention but only by a specific evidence".**

Abu Hamid Al-Ghazali, may Allah's Mercy be upon him, said - in the saying that has been aforementioned - "So the ignorant person must not understand that from the generality of his saying (SAW): "Actions are but by intentions", then thinks that a sin can be turned into an obedience by (a good) intention - until he said -:

This is all ignorance, and the intention has no effect in ruling out its being an oppression, an aggression and a sin. In fact, his intending to do good by an evil means -which opposes the requirement of the Shariah - is another evil. So if he is aware of this (evil means), therefore he is stubborn in regards to the Shariah. But if he ignores it, therefore, he is sinful for being ignorant"[39]

However, if I have mentioned that sins do not become permissible by the good intention but only by a specific legal evidence, **this does not apply to all sins.** This is because there are forbidden things which do not become permissible on any occasion, whereas others do become so on some occasions but not on some others, by a specific evidence. Indeed Sheikh ul-Islam, Ibn Taymiah, mentioned the difference between these two categories,

"One of them (concerns) the things which the Shariah certainly allows nothing of, be it for the sake of necessity or not, such as Shirk, Al-Fawahish (evil deeds), saying things about Allah without knowledge and unrighteous oppression. These are the four things mentioned in His saying Taala:

"Say (O Muhammad [SAW]). ***(But)*** **the things that my Lord has indeed forbidden are Al-Fawahish (great evil sins, every kind of unlawful sexual intercourse etc.) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allah for which He has given no authority, and saying things about Allah of which you have no knowledge".** [40]

[38] I'alam-ul Muwaqqeen, vol. 3, p 130

[39] . Ihyaa Ulum-ed-Deen

So these things were forbidden in all Sharai'a (plural of Shariah). Besides, Allah sent all the Messengers to forbid them and He allowed nothing of them on any occasion. This is why (this verse) was revealed in this Meccan Surah. The (order of) forbidding was negated concerning the things which were beside them (i.e. the four above mentioned forbidden things), because He only forbade them after, such as the blood, the dead animal, the flesh of the swine, which were (all) made forbidden on some occasions but not on some other ones. Therefore, the (order of) forbidding was **not** absolute.

Likewise the wine is unanimously permitted (to be drunk) in order to push down a bone (that is stuck in the throat), and get rid of the thirst in one of the two opinions of scholars. As for those who did not allow it, they said: "Verily it does not eradicate the thirst", and that was the reason of (Imam) Ahmed. In this case the matter is dependent on eradicating the thirst with it (wine). So if it is known that it does, it is undoubtedly permitted. By the same token, the flesh of the swine is permissible in order to get rid of hunger. However, the necessity of thirst, which one realises that it would kill him, is greater than the necessity of hunger, and that is why it is allowed to drink impurities without any dispute. This is to only eradicate the thirst, otherwise nothing of that is allowed".[41]

As it has become clear for that democracy is from Shirk Akbar (major), for its reality is to take people as legislative lords beside Allah, therefore Shirk is- as Ibn Taymia, may Allah's Mercy be upon him, said is of the definitively forbidden things, which can never be allowed, neither for a necessity, a non-necessity or Maslah (benefit). Indeed Ibn Taymia said: " But these things must not be applied to the four types (of forbidden things), because Shirk, saying things about Allah without knowledge, Al-Fawahish whether committed openly or secretly and unrighteous oppression have nothing to do with Maslaha".[42]

Such are the regulations concerning the sins which become permissible by a specific evidence and those which never become so, except in Ikrah (being forced to say or do kufr under the threat of being killed), in accordance with its legal conditions Unfortunately, other knowledgeable men followed sheikh Bin Baz in his permitting the participation in the parliament of shirk, for the sake of necessity. Such following is

[40] Al-Aaraf, verse 33.

[41] Majmu' Al-Fatawa, 14/470-471

[42] Majmu' Al-Fatawa, 14/476

forbidden and Madhmum (i.e. opposing the Quran an Sunna)-and which we shall elaborate on in the sixth chapter of this book Insha-Allah- One of those (scholars) who followed Bin Baz in that is Dr Safar Al-Hawali (on a recorded tape No. 4661 Al-Hidaiya Al-Islamia's recording in Daman, Lecture of 23-6-1412 Hijri)

20

I particularly mentioned him for two reasons:

First, he teaches people Aqeeda and is aware of the reality of Shirk and its types. Secondly, he wrote a book on "Secularism", wherein he clarified the origins of democracy and its Shirk reality.

Of all people, he was, therefore, more entitled not to fall into this blind following which is Madhmum, and that is to follow the opposite of the legal text.

Here comes some of his talk regarding democracy in his book "Secularism".

Dr Al-Hawali said: "One of these misconceptions is to find it difficult to apply the word kufr or Ignorance (pre-Islamic one) to those whom Allah Taala called so, such as the systems, situations and individuals, on the pretext that these systems- particularly the secularist and the democratic ones- do not deny Allah's existence nor do they refuse the establishments of some acts of worship; and that some members of the secularist systems declare the Shahada, practice some acts of worship, such as Salat, Fasting , Hajj, donation and respect the scholars (!!) and the Islamic organisations etc.. Accordingly, how can we permit ourselves to say that secularism is Jahilia and that those who believe in it are Jahiliyyum (Ignorant)? It is very clear that those who utter this misconception do not know the meaning of La-Ilaha-Ill-Allah or the meaning of Islam. This is to do with (our) good thinking regarding them. However, this (good thinking of people) is not permissible (to be applied) to most of the learned men that are using these reasons"?[43]

Safar Al-Hawali also said: "It is worthwhile for us to ponder a little on the saying of Shiekh-ul-Islam (Ibn Taymiah) that the apostasy from the laws of the religion is greater

[43] 'Secularism' by Dr Safar Al-Hawali. Page 687.

than the rebellion of the original Kaffir[44] against them. This is to tell them (i.e. the misconceived people) that this is what the Jewish-Christian conspiracy has come to realise, as it has been aforementioned in the advice of Zuwaimar[45] 'Indeed the plotters have become desperate about taking the Muslims out of the fold of their religion (and dragging them) into the atheistic and the materialistic ways. **Therefore, they have resorted - after a deep thought and planning - to making systems which rule by what Allah has not revealed, and (then) claim to be Muslims and have a respect for Aqeeda at the same time. Consequently, they have destroyed the feeling of the people, guaranteed for themselves their friendship and drugged their conscience. Then they have hastened to destroy the Shariah of Allah, while being secure from their uprising**. Owing to this, the lords of these systems do not dare to confess that they are atheists or non-religious. On the contrary, they are admitting - with pride – that they are democratic, for instance".[46]

Is it right for him - despite his talk - to follow Bin Baz in his fatwa?

21

In this respect, I will not miss the opportunity to advise everyone who issues fatwas to the people - whatever his status may be - to be deeply aware of the environment that he issues the fatwa on. This is in order not to be deceived by the questioner, who introduces the evil situation in a nice clothing, just like those who have put the garment of "Calling - to - Allah" on the democracy of shirk. Verily, one of the conditions of being a Mufti is to be aware of the environment on which he issues the fatwa, as Ibn-ul-Qayyim said in "Ahkam Al-Mufti "Forty-fourth guideline: When a matter involves a cunning inclination towards (getting) an exemption from an obligation, legalising an unlawful thing, cheating or deceiving, it is haram for him (the Mufti) to help the questioner in it, guide him to his aim or issue a fatwa in accordance with the outward aspect (of the question), by means of which he (the questioner) may fulfil that which he has intended.

Rather, he should be fully aware of people's tricks, deceptions and situations, and should not think good about them. In addition, he should be cautious, clever and knowledgeable about people's situations and matters, and should be strengthened

[44] A person who never was a Muslim before
[45] An infamous Christian Missionary and a bitter enemy of Islam.
[46] "Secularism" edition of Jameat-Umm-el-Qura 1402 Hijri. Page 692-693.

with his Fiqh in the Shariah. But, if he is not like this, he will lead himself and others astray. Many matters seem to have beautiful appearances, whereas their inward (realities) contain plotting, deceiving and oppression.

Therefore, the inexperienced (Mufti) looks at Their outward (sides) and decides that they are legal. On the contrary, the one with deep understanding criticises their aims and inward (realities). Thus the falsifications of matters go undiscovered before the former, just like the false money goes unnoticed before the one who is ignorant about money. Whereas the latter discovers their falsifications, just like the one who handles money discovers the falsifications of the coins. Moreover, many false things are uttered by the man who, because of his good speech and his pretending, makes them appear in true forms. By the same token, many true things are uttered by the man in false forms because of his making things (look) evil and his bad expression.

So anyone who has the slightest cleverness and experience would not ignore this. **As a matter of fact, such are the situations of most people, and because of the large number and fame (of these situations); there is no need to give examples. In fact he who ponders on all the false sayings and Bidaa (plural of Bidah), would find that those who uttered them, presented them in beautified moulds and covered them with words which were accepted by those who did not know their realities."**[47]

[47] Ialam-ul-Muwaqqeen. Vol.4, p.229-230

TAKFEER

"In this world's rules, which are applied to the outward (side of people), a person is judged as a Kaffir by saying or doing kufr, which is proven against him by the Shariah, if the conditions of the judgement are met and its impediments (the things that prevent us from applying Takfeer) are unfulfilled regarding him; and the person who issues the verdict must be (Islamically) capable of judging. Then we consider the following:

1. **If he is overpowered within the Islamic State, it is obligatory to ask him to repent before applying the punishment to him by those who have authority.**

2. **If he is a rebel who is protected by (an armed group) or a state at war (with Islam), it is permissible for every individual to kill him and confiscate his property without asking him to repent, and the benefit and the evil that may result from this must be taken into account. But in the case when they (i.e. the benefit and evil) are opposed, the stronger opinion should be given priority".**

Explaining this rule, Sheikh Abdul Qadir bin Abdul Aziz mentioned the impediments that hinder us from judging a person as a Kaffir. Thus he said in p. 497-498
"A- The mistake caused by the preceding of one's tongue (slip of the tongue). Thus a person may speak kufr while he does not intend it, and this impediment nullifies the condition of intending, i.e. when the person who is mukallaf (Islamically responsible, and consequently, accounted for what he believes, says and does) commits kufr while intending it. The evidence regarding the consideration of the making of a mistake as an impediment is His saying taala **"As there is no sin on you if you make a mistake, except in regard to what your hearts deliberately intend" (Al-Ahzab, verse 5).**

As for the evidence concerning this being an impediment from applying Takfeer (to a person), it is the hadith of the man who lost his rahila (camel on which he carried his food, drink and shelter- and that occurred in the middle of the desert), then he found it and said: **"0 Allah you are my servant and I am your Lord",** m this hadith the Prophet (SAW) described him **as "he made a mistake out of great happiness".** This hadith is agreed upon.

B - Making a mistake in At-Taawwul
At-Taawwul is to put the legal evidence in a place other than its proper one, because of an ijtihad or a misconception stemming from misunderstanding the meaning of the legal

evidence. Therefore the Mukkallaf commits kufr while not regarding it as kufr, by using an evidence the meaning of which he fails to understand.

Accordingly, the condition of intending (kufr) is nullified by this mistake. Likewise the making of a mistake in At-Taawwul would be an impediment from judging him as a Kaffir. However, if the clear evidence is established against him through an illustration of his kufr, but he persists on it, then he has become a Kaffir.

The evidence of this is the occurrence of Qadama bin Madhghun - and I have indeed mentioned it in the important warning concerning my commenting on Al-Aqeeda-At-Tahhawiya **- in which Qadama made drinking wine halal -and making the drinking of it Halal is Kufr-** proving this by His Saying Taala: